

**McMANIMON SCOTLAND & BAUMANN, LLC**

427 Riverview Plaza

Trenton, New Jersey 08611

(609) 695-6070

Andrea Dobin, Esq. ([adobin@msbnj.com](mailto:adobin@msbnj.com))

Scott D. Platton, Esq. ([splatton@msbnj.com](mailto:splatton@msbnj.com))

*Counsel to Plaintiff, Andrea Dobin, Successor Chapter 7 Trustee*

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:	)	
	)	Chapter 7
KAY & SONS, LLC,	)	
	)	Case No. 22-11625(DJB)
	)	
	)	Hon. Derek J. Baker, U.S.B.J.
	)	
ANDREA DOBIN, SUCCESSOR	)	
CHAPTER 7 TRUSTEE,	)	
	)	
Plaintiff,	)	
v.	)	
	)	
HEALTH SCIENCES CONSTRUCTION	)	
GROUP, INC. d/b/a HSC BUILDERS &	)	
CONSTRUCTION MG	)	Adv. Pro. No 25-_____ (DJB)
	)	
	)	
Defendant.	)	

**COMPLAINT TO RECOVER SUMS DUE AND OWING**

Plaintiff Andrea Dobin, Successor Chapter 7 Trustee (“**Successor Trustee**” or “**Plaintiff**”) in the bankruptcy proceeding of Kay & Sons, LLC, by way of Complaint against Health Sciences Construction Group, Inc. d/b/a HSC Builders & Construction MG (“**HSC**” or “**Defendant**”), hereby states and alleges as follows:

**JURISDICTION AND VENUE**

1. This Court has jurisdiction over the parties and the subject matter of this proceeding pursuant to Sections 157 and 1334 of Title 28 of the United States Code.

2. This is a core proceeding within the meaning of Section 157(b) of Title 28 of the United States Code.

3. Venue of this action is proper in this district pursuant to Section 1408 and 1409 of Title 28 of the United States Code.

4. This Adversary Complaint is brought pursuant to Rule 7001(1) of the Federal Rules of Bankruptcy Procedure, in order to recover money or property, other than a proceeding to compel the debtor to deliver property to the trustee, or a proceeding under §554(b) or §725 of Title 28 of the United States Code, Rule 2017, or Rule 6002.

#### **THE PARTIES**

5. Kay & Sons, LLC (hereafter “**Debtor**”) had a last known address of 2550 Boulevard of the Generals, Suite 320, Norristown, PA 19403.

6. Defendant HSC is a corporation organized under the laws of the Commonwealth of Pennsylvania, with its principal place of business located at 304 New Mill Lane, Exton, PA 19341.

#### **RELEVANT FACTS**

7. On June 22, 2022 (“**Petition Date**”), the Debtor filed its voluntary petition for relief under Title 11, Chapter 7 of the United States Code (“**Bankruptcy Code**”), in case number 22-11625.

8. Additionally, on June 22, 2022, Gary F. Seitz was appointed Trustee (“**Former Trustee**”) of Debtor’s estate.

9. As set forth on Schedule A/B, the Debtor represented that, as of the Petition Date, it was owed various receivables due from customers with scheduled values totaling in excess of \$2.5 million.

10. The Former Trustee determined that Defendant owed \$29,626.68 to Debtor (the “**Unpaid Balance**”) as of the Petition Date.

11. On or about December 22, 2022, Former Trustee sent a demand letter to Defendant, requesting payment of the outstanding Unpaid Balance.

12. Upon information and belief, the Former Trustee did not receive payment or correspondence from Defendant. The Unpaid Balance remains outstanding.

13. On August 2, 2024, Successor Trustee was appointed as the Trustee in this case, following the resignation of Former Trustee.

14. On or about February 13, 2025, Successor Trustee sent a new demand letter to Defendant, requesting payment within thirty (30) days of the still outstanding Unpaid Balance.

15. As of March 26, 2025, no communication or payment has been received from Defendant.

16. The Unpaid Balance is the property of the bankruptcy estate and must immediately be turned over to the Successor Trustee pursuant to 11 U.S.C. § 542.

### **PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff Andrea Dobin, Successor Chapter 7 Trustee in the bankruptcy proceeding of Kay & Sons, LLC, demands judgment against the Defendant as follows:

- (a) Judgment on the Unpaid Balance in full, in the amount of \$29,626.68;
- (b) Awarding pre-judgment and post-judgment interest;
- (c) Awarding court costs and counsel fees; and

(d) Granting such other relief as the Court may deem just and equitable.

**McMANIMON, SCOTLAND & BAUMANN, LLC**

*Counsel to Plaintiff Andrea Dobin,*

*Successor Chapter 7 Trustee*

Dated: April 1, 2025

By: /s/ Scott D. Platton  
SCOTT D. PLATTON